

Remarks

Claims 1-3, 5-12, 14 and 18-21 are currently pending in the present patent application. Claims 4, 13 and 15-17 have been previously cancelled without prejudice. Claims 1-3 have been amended. Portions of the text of allowed claim 12 have been incorporated into claim 1. For the convenience of the patent examiner, Applicant will address the issues raised in the order presented in the Office Action dated November 15, 2006.

Detailed Action

1. ***Detailed Action.*** Applicant was surprised by the withdrawal of the allowability of claim 4.

2. ***Claim Rejections – 35 USC § 103.*** Claims 1, 3 and 5 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Pat. Pub. No. 2002/0121738 in view of numbered paragraphs [0003] and [0004] of the specification. Applicant was surprised by the withdrawal of the allowability of claim 4 in view of Stocum since Stocum has nothing to do with vacuum used in a paper deliverer as is claimed in claim 1. The patent examiner is improperly using hindsight in reconstructing claim 1 by combining Stocum and numbered paragraphs [0003] and [0004] of the specification. In any event, in an effort to expedite prosecution and allowance of the present patent application, claim 1 has been amended to include allowable subject matter as indicated by the patent examiner in the Office Action under the Allowable Subject Matter section. Specifically, portions of the text of allowed claim 12 have been incorporated into claim 1. Dependent claims 5 and 7 depend from allowable claim 1 and, therefore, are believed to be allowable as well. Withdrawal of the 35 USC § 103(a) rejection is earnestly solicited.

3. ***Response to Arguments.*** No comment is necessary.

4. ***Allowable Subject Matter.*** Allowance of claims 12, 14 and 18-21 is acknowledged. The objection to claims 2-3, 6 and 8-11 as being dependent on a rejected base claim and indication that such claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims is acknowledged. Portions of the text of allowed claim 12 have been incorporated into claim 1.

5. ***Conclusion.*** No response is necessary.

Conclusion

It is respectfully submitted that the present application is in condition for allowance. If the patent examiner would like to suggest changes of a formal nature to place this application in

better condition for allowance, a telephone call to Applicant's undersigned attorney would be appreciated.

Respectfully submitted,

A handwritten signature in black ink, reading "David P. Maivald". The signature is written in a cursive style with a large, stylized 'P' and 'M'.

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